

# SENATE BILL 88

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0lr0058

(PRE-FILED)

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By: **Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Environment)**

Requested: October 5, 2009

Introduced and read first time: January 13, 2010

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable

Senate action: Adopted

Read second time: February 9, 2010

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Environment – Controlled Hazardous Substance Advisory Council**

3 FOR the purpose of providing that the Controlled Hazardous Substance Advisory  
4 Council is required to meet only at the request of the Secretary of the  
5 Environment; altering the membership of the Council; altering the term of a  
6 member of the Council; deleting certain obsolete references; repealing the  
7 requirement that the Council elect a chairperson annually; and generally  
8 relating to the Controlled Hazardous Substance Advisory Council.

9 BY repealing and reenacting, with amendments,  
10 Article – Environment  
11 Section 7–211 through 7–214  
12 Annotated Code of Maryland  
13 (2007 Replacement Volume and 2009 Supplement)

14 BY repealing and reenacting, without amendments,  
15 Article – Environment  
16 Section 7–215  
17 Annotated Code of Maryland  
18 (2007 Replacement Volume and 2009 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
20 MARYLAND, That the Laws of Maryland read as follows:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **Article – Environment**

2 7–211.

3 **(A)** There is a Controlled Hazardous Substance Advisory Council in the  
4 Department.5 **(B) THE CONTROLLED HAZARDOUS SUBSTANCE ADVISORY COUNCIL**  
6 **SHALL MEET ONLY AT THE REQUEST OF THE SECRETARY.**

7 7–212.

8 (a) (1) The Council consists of 13 members.

9 (2) Of the 13 members, 10 shall be appointed by the Governor with the  
10 advice of the Secretary as follows:11 (i) 1 shall be the pesticides coordinator **OR THE PESTICIDES**  
12 **COORDINATOR’S DESIGNEE** for the Cooperative Extension Service of the University  
13 of Maryland;

14 (ii) 1 shall be from the State Department of Agriculture;

15 (iii) 1 shall be from the Department of Labor, Licensing, and  
16 Regulation, Division of Labor and Industry;

17 (iv) 1 shall be from the Department of Natural Resources;

18 (v) 1 shall be the State Fire Marshal or the State Fire Marshal’s  
19 designee;20 (vi) 1 shall be from an industry that generates hazardous  
21 substances;22 (vii) 1 shall be from the hazardous substance disposal and  
23 management industry;24 (viii) 1 shall be from an industry that generates low–level nuclear  
25 waste;26 (ix) 1 shall be from the low–level nuclear waste management  
27 industry; and28 (x) 1 shall be an individual who is engaged in the business of  
29 resource recovery.

1           (3) Of the 13 members, 3 shall be public members appointed by the  
2 Governor with the advice and consent of the Senate.

3           (b) A public member may not be an individual who otherwise qualifies for  
4 membership under subsection (a)(2) of this section.

5           (c) (1) The term of a member is ~~6~~10 years.

6           (2) Except for an ex officio member, the terms of members are  
7 staggered as required by the terms provided for members of the Council on July 1,  
8 1982. [The terms of those members end as follows:

9                   (i) 2 public members in 1982;

10                   (ii) The member from the Department of Labor, Licensing, and  
11 Regulation, Division of Labor and Industry in 1984;

12                   (iii) The members from the State Department of Agriculture and  
13 the University of Maryland in 1985;

14                   (iv) The members from the Department of Natural Resources,  
15 the business of resource recovery, and the State Fire Marshal's designee in 1986; and

16                   (v) The members from the industry that generates hazardous  
17 substances, the hazardous substance disposal and management industry, the  
18 low-level nuclear waste management industry, and the industry that generates  
19 low-level nuclear waste and 1 public member in 1987.]

20           (3) At the end of a term, a member continues to serve until a successor  
21 is appointed and qualifies.

22           (4) A member who is appointed after a term has begun serves only for  
23 the rest of the term and until a successor is appointed and qualifies.

24 7-213.

25           From among the public members, the Council [annually] shall elect a  
26 chairperson.

27 7-214.

28           [(a) The Council shall determine the times and places of its meetings.

29           (b)] A member of the Council:

30                   (1) May not receive compensation; but

1 (2) Is entitled to reimbursement for expenses under the Standard  
2 State Travel Regulations, as provided in the State budget.

3 7-215.

4 The Council shall advise and assist the Department in:

5 (1) Identifying any hazardous substance as a controlled hazardous  
6 substance;

7 (2) Developing rules and regulations for the management and disposal  
8 of controlled hazardous substances; and

9 (3) Developing separate rules and regulations that relate to  
10 management and disposal of low-level nuclear wastes.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12 October 1, 2010.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.